

THIRTY-SIXTH DAY

(Tuesday, March 14, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holland.
Adamson.	Holloway.
Aikin.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hughes.
Anderson	Hunt.
of Johnson.	Hyder.
Baker.	Jackson.
Barrett.	James.
Barron.	Jefferson.
Beck.	Johnson
Bedford.	of Anderson.
Bourne.	Jones of Atascosa.
Burns.	Jones of Runnels.
Butler.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Cathey.	Laird.
Caven.	Latham.
Chastain.	Lemens.
Clayton.	Leonard.
Colon.	Lindsey.
Coombes.	Long.
Cowley.	Lotief.
Crossley.	Magee.
Daniel.	Mackay.
Davidson.	Mathis.
Dean.	McCullough.
Devall.	McDougald.
Dunlap.	McGregor.
Dunagan.	McKee.
Engelhard.	Merritt.
Fain.	Metcalfe.
Fisher.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Munson.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Parkhouse.
Griffith.	Patterson.
Haag.	Pavlica.
Hankamer.	Pope.
Harman.	Puryear.
Harris.	Ramsey.
Harrison.	Ratliff.
Hartzog.	Ray.
Head.	Reader.
Hester.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.

Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Savage.	Turlington.
Scarborough.	Van Zandt.
Scott.	Vaughan.
Shannon.	Wagstaff.
Shults.	Walker.
Smith.	Weinert.
Steward.	Wells.
Stinson.	Winningham.
Stovall.	Wood.
Sullivant.	Young.

Absent

Duvall.	West.
Stanfield.	

Absent—Excused

Anderson	Few.
of Bexar.	Johnson
Bradley.	of Dimmit.
Dwyer.	McClain.

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Few for today, on motion of Mr. Puryear.

Mr. Anderson of Bexar for today, on motion of Mr. Nicholson.

Mr. Dwyer for today, on motion of Mr. Kayton.

Mr. McClain for today, on motion of Mr. Canon.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Leonard:

H. B. No. 813, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of the State of Texas to establish certain minimum grades and standards, and promulgate rules and regulations relative to the weighing, buying, and selling, packing, marking, and shipping of certain citrus fruits to be shipped within, out of, or into the State of Texas, etc.; and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Palmer and Mr. Bourne:

H. B. No. 814, A bill to be entitled "An Act providing that any person or association of persons shall have the right to sell farm products or produce raised upon property controlled by any person or association of persons from house to house in any city in this State (Texas), fixing a penalty, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Scott:

H. B. No. 815, A bill to be entitled "An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as Senate Bill No. 8, so as to provide for three local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hill of Webb, Mr. Scarborough, and Mr. Bourne:

H. B. No. 816, A bill to be entitled "An Act amending Chapter 8, Title 17, of Penal Code of the State of Texas, Revision of 1925, by providing that whoever shall forcibly take possession of any mortgaged personal property for any purpose whatever, without the consent of the owner of said property in writing, signed at the time of the taking possession of such personal property, shall be punished as for theft of such mortgaged personal property, notwithstanding any authorization to make such repossession signed at a time prior to the actual taking possession of such mortgaged personal property, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Hill of Webb:

H. B. No. 817, A bill to be entitled "An Act amending Article 1422, of Chapter 8, Title 17, Penal Code of the State of Texas, Revision of 1925, by adding thereto an Article providing a fine of not less than fifty dollars (\$50), nor more than five hundred dollars (\$500), or imprisonment in jail not to exceed two years, or both such imprisonment and fine, for any person who shall contract for, receive,

collect, or accept, either directly or indirectly, a greater rate of interest than ten per cent (10%) per annum on the principal indebtedness, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hill of Webb and Mr. Scarborough:

H. B. No. 818, A bill to be entitled "An Act amending Article 5071, of Title 79, of 1925 Revised Civil Statutes of the State of Texas, so as to provide that all written contracts whatsoever which may, in any way, directly or indirectly, provide for a greater rate of interest than ten per cent (10%) per annum on the amount of the contract, and all mortgages securing any such contract shall be void and of no effect either as to principal or interest, or for any other purpose whatsoever."

Referred to Committee on Judiciary.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Lemens and Mr. Stovall:

H. J. R. No. 33, Proposing an amendment to Article III, of the Constitution of the State of Texas, by striking out Section 4, and providing in lieu thereof for a term of four years for Representatives; providing for an election on the question of adoption or rejection of such amendment, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, March 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 12, A bill to be entitled "An Act to provide that no water improvement district, water control and improvement district, water control and preservation district, levee

improvement district, nor drainage district shall be required to give bond on any appeal or writ of error taken by it, or either of them, in any civil case, repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 51, A bill to be entitled "An Act permitting citation to be served and return to be made by registered mail; and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act relating to the installation, operation, and use of short wave radio receiving sets in motor vehicles, prohibiting the installation and use thereof without a permit, except by bona fide peace officers, prescribing the penalty, and declaring an emergency."

S. B. No. 78, A bill to be entitled "An Act to amend Section 13, Chapter 277, page 480, Acts of the Forty-second Legislature, Regular Session, providing that before a permit or certificate of public convenience and necessity may be issued to any motor carrier, or before any motor carrier may lawfully operate under such permit or certificate, such motor carrier shall file, with the Commission, bonds and insurance policies issued by companies authorized by law to transact business in Texas, in an amount to be fixed by the Commission, under such rules and regulations as it may prescribe; etc., and declaring an emergency."

S. B. No. 88, A bill to be entitled "An Act amending Chapter 91, page 222, Section 4, of the Acts of the Forty-first Legislature, 1929, First Called Session; relating to additional duties of the State Auditor; and declaring an emergency."

S. B. No. 164, A bill to be entitled "An Act to repeal Article 794, Penal Code of the Revised Statutes, which provides that the operators of motor vehicles, in passing each other on the State highways, shall slow down their speed to fifteen miles per hour; and declaring an emergency."

S. B. No. 173, A bill to be entitled "An Act providing for the certification of questions of law by trial courts to Courts of Civil Appeals, and by such courts to the Supreme Court, and for the appeal of litigants from

orders of trial courts overruling or sustaining general or special exceptions involving the constitutionality or validity of laws, orders, rules, and regulations of State officers, boards, and other commissions; providing the means and manner thereof; providing the rights, powers, and duties of such courts, and, providing generally, for the enforcement hereof, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 247 WITH SENATE AMENDMENTS

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 247, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes of this Act, providing and imposing an occupation tax on the first sale, distribution, or use of motor fuel in this State; providing certain exceptions, exemptions, and deductions from the tax hereby levied; providing for refunds of taxes paid in certain instances and under certain conditions, requiring distributors of motor fuel to obtain a permit, and to file with the Comptroller of Public Accounts a surety bond, or in lieu of bond to deposit in a suspense account in the State Treasury an amount of money equal to the amount of bonds required; providing that any manufacturer or refiner may transfer the tax imposed upon the sale of casinghead or natural gasoline to any distributor holding a permit as required by this Act upon certain conditions; regulating the issuance of such permits, and providing for and regulating the suspension and revocation of permits issued; providing for and requiring distributors of motor fuel to file new or additional bonds in certain instances, etc.; and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Harman, the House concurred in the Senate amendments by the following vote:

Yeas—119

Adamson.
Aikin.

Alexander.
Alsup.

Anderson	Laird.
of Johnson.	Latham.
Baker.	Lemens.
Barrett.	Leonard.
Barron.	Long.
Beck.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Burns.	Mathis.
Butler.	McCullough.
Calvert.	McGregor.
Camp.	McKee.
Canon.	Metcalfe.
Cathey.	Mitcham.
Caven.	Moffett.
Chastain.	Morrison.
Clayton.	Morse.
Coombes.	Munson.
Cowley.	Nicholson.
Crossley.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Fain.	Puryear.
Fisher.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reader.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Goodman.	Renfro.
Graves.	Riddle.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Haag.	Rogers
Hankamer.	of Ochiltree.
Harman.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hester.	Scarborough.
Hicks.	Scott.
Hill of Webb.	Shults.
Hodges.	Smith.
Holekamp.	Steward.
Holland.	Stinson.
Huddleston.	Stovall.
Hughes.	Tennyson.
Hunt.	Thomas.
Jackson.	Tillery.
James.	Townsend.
Jefferson.	Van Zandt.
Johnson	Vaughan.
of Anderson.	Wagstaff.
Jones of Atascosa.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

Nays—2

Daniel. Pope.

Absent

Colson.	Dunagan.
Devall.	Duvall.
Dunlap.	Engelhard.

Harrison.	Moore.
Hill of Brazoria.	Palmer.
Holloway.	Shannon.
Hoskins.	Stanfield.
Hyder.	Sullivant.
Lindsey.	Tarwater.
McDougald.	Turlington.
Merritt.	West.

Absent—Excused

Anderson	Few.
of Bexar.	Johnson
Bradley.	of Dimmit.
Dwyer.	McClain.

BILL ORDERED PRINTED

Mr. Harman moved that House Bill No. 307, reported adversely, with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—70

Aikin.	Lotief.
Alexander.	Magee.
Alsup.	Mathis.
Anderson	McCullough.
of Johnson.	McKee.
Burns.	Metcalfe.
Butler.	Mitcham.
Calvert.	Moffett.
Cathey.	Morrison.
Chastain.	Nicholson.
Clayton.	Palmer.
Coombes.	Parkhouse.
Dean.	Pope.
Dunagan.	Puryear.
Fain.	Ramsey.
Fisher.	Reader.
Glass.	Reed of Bowie.
Golson.	Renfro.
Good.	Riddle.
Goodman.	Roberts.
Graves.	Rogers of Hunt.
Griffith.	Rollins.
Haag.	Savage.
Harman.	Scott.
Hartzog.	Shults.
Hicks.	Stovall.
Hoskins.	Sullivant.
Huddleston.	Tarwater.
Hughes.	Thomas.
Hunt.	Tillery.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Shelby.	Weinert.
Kyle of Palo Pinto.	Winningham.
Laird.	Wood.
Lemens.	Young.

Nays—42

Adamson.	Beck.
Baker.	Bedford.
Barron.	Bourne.

Camp.	Jones of Runnels.
Canon.	Kyle of Hays.
Caven.	Lindsey.
Cowley.	Mackay.
Crossley.	McGregor.
Daniel.	Morse.
Devall.	Munson.
Ford.	Patterson.
Fuchs.	Pavlica.
Greathouse.	Ray.
Hankamer.	Reed of Dallas.
Head.	Russell.
Hester.	Scarborough.
Hill of Webb.	Steward.
Holland.	Tennyson.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wells.

Present—Not Voting

Jones of Atascosa. Leonard.

Absent

Barrett.	Long.
Colson.	McDougald.
Davidson.	Merritt.
Dunlap.	Moore.
Duvall.	Ratliff.
Engelhard.	Rogers
Harris.	of Ochiltree.
Harrison.	Ross.
Hill of Brazoria.	Shannon.
Hodges.	Smith.
Holekamp.	Stanfield.
Holloway.	Stinson.
Hyder.	Townsend.
Kayton.	Turlington.
Latham.	West.

Absent—Excused

Anderson	Few.
of Bexar.	Johnson
Bradley.	of Dimmit.
Dwyer.	McClain.

TO GRANT CERTAIN PARTIES
PERMISSION TO SUE
THE STATE

Mr. Lemens offered the following resolution:

H. C. R. No. 45, To grant permission to certain parties to sue the State.

Whereas, On or about July 6, 1921, the State of Texas, acting by and through its Highway Commission, and Johnson County, acting by and through its commissioners court, made and entered into a legal and valid contract with Womack Construction Company, a private corporation, for the construction and completion of Federal Aid Projects Nos. 181 and

228, on State Highway No. 2-A, beginning at the Hill County line, and extending through and across Johnson County to the Tarrant County line, said highway being now designated as State Highway No. 2; and,

Whereas, Said contract provided that the cost of constructing said highway, under said contract, through Johnson County, should and would be borne and paid, 50 per cent by Johnson County and 50 per cent by State and Federal aid; and,

Whereas, Johnson County had, prior thereto and in May, 1919, voted a two-million-dollar, county-wide road bond issue, which bonds had been sold, and the proceeds thereof deposited in The National Bank of Cleburne, which was then, and continued to be, the duly and legally selected county depository of the funds of Johnson County; and,

Whereas, Said Johnson County, by and through its commissioners court, had, prior to and on said July 6, 1921, allocated, designated, and set aside the sum of \$410,112.58, out of the proceeds of said bond issue, for the sole and express purpose of paying said county's 50 per cent of the cost of construction of said Highway No. 2, through Johnson County, under said contract with Womack Construction Company, and the State Highway Commission had designated or allotted the sum of \$300,000 of State and Federal aid to the above-mentioned project; and,

Whereas, On October 17, 1921, the said county depository bank failed, and a receiver was appointed to administer same, at which time, no portion or part of said \$410,112.58 had been expended under said contract, or otherwise, but all of same was still on deposit in said failed depository bank; and,

Whereas, Thereafter on December 23, 1921, Johnson County, the said Womack Construction Company, by and with the approval, and at the solicitation of, Johnson County and the State Highway Commission, made and entered into a modified contract with each other and with The First National Bank of Alvarado, Texas, and its subscribers, and The First National Bank of Grandview, Texas, and its subscribers, wherein in substance it was agreed that Johnson County would furnish \$44,000 worth of gravel already unloaded contiguous to said

proposed highway, and that the State Highway Commission, in addition to furnishing the original 50 per cent State and Federal aid, would furnish further aid to the extent of 22 per cent of the cost of the construction of said highway, and that the said Womack Construction Company did agree to advance and carry 14 per cent of the cost of such construction, and that the said First National Bank of Alvarado and The First National Bank of Grandview, and their subscribers to said fund, would advance and furnish 14 per cent of the cost of construction of said highway in said county, a contract being entered into to that effect, and with the proviso and agreement that the said Womack Construction Company and the said two contracting banks and their subscribers would be repaid by Johnson County the aggregate 28 per cent so advanced by them, and that the State Highway Commission should be reimbursed for the 22 per cent additional advanced by it, in the construction of said highway in and through Johnson County, such payments to be made by Johnson County out of the portion of the \$410,112.58 to be recovered from said bank and its sureties on its depository bonds, which amount was originally designated and set apart for the purpose of constructing said highway under said contract; and

Whereas, Said contract was duly entered into in said modified form on said December 23, 1921, and the construction of said highway was thereafter begun on or about January 1, 1922, and was fully and finally completed according to contract in due course by said Womack Construction Company; and

Whereas, In compliance with said modified contract, the said The First National Bank of Alvarado, Texas, and the citizens of that community subscribed and paid into said construction fund the sum of \$28,886.61, and the said The First National Bank of Grandview, Texas, and the citizens of that community subscribed and paid into said fund the sum of \$20,000, aggregating the total sum paid by said banks and said citizens in pursuance of said contract in the amount of \$48,886.61, all of which sum was placed at the disposal of, and was disbursed and paid upon, said highway construction project under the sole direction and supervision of said State Highway Commission; and

Whereas, In pursuance of said modified contract the said Womack Construction Company advanced and paid out upon said project and in the construction of said Highway in and through Johnson County the sum of \$48,145.09; and

Whereas, No part of any of said sums of money so advanced and paid by said banks and the subscribing citizens in the said communities, and the said advancements made and paid by said Womack Construction Company, have ever been paid to said parties, or to their heirs, executors, administrators, successors, or assigns, and said sums are alleged to be due and owing to said claimants; and

Whereas, Said State Highway No. 2 was at all of said times, at all times since, and is now a State Highway in the State of Texas, and the said citizens, the said two banks, and the said Womack Construction Company, under said contract, claim to have advanced and paid the said aggregate of 28 per cent of the cost of the construction of the said Highway in said Johnson County in the aggregate total sum of \$97,031.70, under said contract aforesaid; and

Whereas, The said First National Bank of Alvarado, Texas, and The First National Bank of Grandview, Texas, in behalf of themselves and of the citizens of their respective localities, who claim to have advanced and paid the said aggregate sum of \$48,886.61 in the construction of said highway under said contract, have heretofore made and presented their said claims against the State of Texas, filing same with the Board of County and District Road Indebtedness created by Acts of 1932, Forty-second Legislature, Third Called Session, Chapter 13, and the said Womack Construction Company has likewise filed its claim against the State of Texas with the aforesaid Board, such claimants asserting that their respective claims should be paid, and allowed for payment, under the provisions of said Act above referred to; and

Whereas, The State of Texas, acting by and through its said Board of County and District Road Indebtedness, has declined to pay such claims, or any part thereof, or either of them, or any part thereof, and does not desire to pass on the questions involved in said respective claims, in some instances being questions of fact which

should be determined by the courts, to the end that justice might obtain between the State and the said respective claimants; and

Whereas, Under the Constitution and laws of this State, suit can not be maintained against the State of Texas without the consent of the Legislature. Now, therefore, be it

Resolved by the House of Representatives, the Senate of Texas concurring, That permission be, and the same is hereby, granted to the said The First National Bank of Alvarado, Texas, its successors or assigns, and to the said The First National Bank of Grandview, Texas, its successors or assigns, each in its own behalf, and in behalf of the citizens paying into said respective funds, through and in the name of the banks, each and both of them, and to said Womack Construction Company, to sue the State of Texas in one of the District Courts of Travis County, Texas, on their said respective claims, and for the use and benefit of said respective claimants, and the State of Texas, acting herein, by and through its Legislature, consents that such suits may be filed and maintained by said The First National Bank of Alvarado, the said The First National Bank of Grandview, and the said Womack Construction Company, on the above-mentioned claims, respectively, in one of the District Courts of Travis County, Texas. Be it further

Resolved, That should said The First National Bank of Alvarado, Texas, the said The First National Bank of Grandview, Texas, and or the said Womack Construction Company, its or their successors or assigns, or the successors or assigns of either of them, recover a judgment against the State of Texas in such suit, that such judgment or judgments thus obtained, if any, shall be paid by the State, through its said Board of County and District Road Indebtedness, out of any funds heretofore or hereafter appropriated to, created, set aside, or designated by law for, the use of the State of Texas by and through said Board of County and District Road Indebtedness, as same is now or may hereafter be constituted by law. Be it further

Resolved, That the said The First National Bank of Alvarado, Texas, The First National Bank of Grandview, Texas, and the said Womack Construction Company, their succes-

sors or assigns, or the successors or assigns of either of them, shall give the necessary cost bond as in other civil suits, and either party shall have the right of appeal from any judgment rendered in the court in which said suit or suits may be filed, it being expressly provided herein that all said claimants may file their respective suits under one and the same file number. Be it further

Resolved, That a certified copy of this resolution, when presented to the district court in which the suit, or suits, is brought, or is pending, shall be conclusive evidence that the Legislature has consented that such suit or suits may be filed and maintained on said claims, or either of them, and that the State has consented to be sued by the said The First National Bank of Alvarado, Texas, and by the said The First National Bank of Grandview, Texas, each in its behalf as well as for the use and benefit of the citizens subscribing and paying into said funds, through said respective banks, and the heirs and assigns of said citizens so subscribing and paying, and that the State has consented to be sued by said Womack Construction Company, its successors or assigns.

LEMENS,
ANDERSON of Johnson,
ADAMSON.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

BILL ORDERED NOT PRINTED

Mr. Griffith moved that the House Rule, relative to the printing of bills, be suspended, for the purpose of making the motion that Senate Bill No. 245 be not printed.

The motion prevailed.

Mr. Griffith then moved that Senate Bill No. 245 be not printed.

The motion prevailed.

HOUSE BILL NO. 142 ON FINAL PASSAGE

Mr. Leonard called up the motion to reconsider the vote by which House Bill No. 142 was passed, which motion to reconsider was heretofore made and spread on the Journal, and due notice having been given that same would be called up today.

The motion to reconsider prevailed.

Question—Shall House Bill No. 142 be passed?

Mr. Sullivant offered the following amendment to the bill:

Amend House Bill No. 142 by striking out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That all interest and penalties that have accrued, or that may accrue, on ad valorem and poll taxes that are delinquent on or before October 20, 1933, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be, and the same are hereby, released, provided, said ad valorem and poll taxes are paid on or before January 31, 1934. It is provided that the provisions hereof shall not apply to cities, towns, and villages, special school districts or independent school districts, unless and until the governing body of any such cities, towns, or villages, special school districts, or independent school districts find that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such cities, towns, or villages.

"Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act.

"Sec. 3. The fact that millions of dollars in taxes are now due, and that the taxpayers are not able to meet their obligations to the State Government, and the further fact that the calendar is crowded, create an emergency and an imperative public necessity, demanding that the constitutional rule, requiring all bills to be

read on three several days in each House, be suspended, and the said rule is hereby suspended, and this Act shall be in force and take effect from and after its passage; and it is so enacted."

SULLIVANT,
VAN ZANDT.

Mr. Pope moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Sullivant, it was lost.

House Bill No. 142 was then passed by the following vote:

Yeas—113

Aikin.	Hicks.
Alexander.	Hill of Webb.
Alsup.	Hodges.
Anderson	Holekamp.
of Johnson.	Holland.
Baker.	Huddleston.
Barrett.	Hughes.
Barron.	Hunt.
Beck.	Hyder.
Bourne.	Jackson.
Burns.	James.
Butler.	Jefferson.
Calvert.	Jones of Atascosa.
Camp.	Jones of Runnels.
Canon.	Kyle of Hays.
Cathey.	Laird.
Chastain.	Latham.
Clayton.	Lindsey.
Colson.	Lotief.
Coombes.	Magee.
Cowley.	Mackay.
Crossley.	Mathis.
Daniel.	McCullough.
Davidson.	McDougald.
Dean.	McGregor.
Devall.	Merritt.
Dunlap.	Metcalfe.
Dunagan.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Fisher.	Morrison.
Fuchs.	Nicholson.
Glass.	Palmer.
Golson.	Parkhouse.
Goodman.	Pavlica.
Greathouse.	Pope.
Griffith.	Purveyar.
Haag.	Ramsey.
Hankamer.	Ratliff.
Harman.	Ray.
Harris.	Reader.
Harrison.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Renfro.
Hester.	Riddle.

Roberts.	Stovall.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Vaughan.
Scarborough.	Walker.
Scott.	Wells.
Shannon.	Winningham.
Shults.	Young.
Smith.	

Nays—11

Adamson.	Steward.
Bedford.	Sullivant.
Caven.	Van Zandt.
Ford.	Wagstaff.
Morse.	Wood.
Munson.	

Absent

Duvall.	Kyle of Palo Pinto.
Good.	Lemens.
Graves.	Leonard.
Hill of Brazoria.	Long.
Holloway.	McKee.
Hoskins.	Patterson.
Johnson	Stanfield.
of Anderson.	Stinson.
Jones of Shelby.	Weinert.
Kayton.	West.

Absent—Excused

Anderson	Few.
of Bexar.	Johnson
Bradley.	of Dimmit.
Dwyer.	McClain.

REASON FOR VOTE

I voted against House Bill No. 142, not because I was opposed to the remission of penalties and interest on taxes, but because the Senate, prior to the action of the House on House Bill No. 142, passed a more workable law in regard to the same subject. Again House Bill No. 142 would cost the State a half a million dollars to set up a system to carry out its provisions. For the above reasons and many others that might be urged, I voted "nay" on the bill on final passage.

SULLIVANT.

HOUSE JOINT RESOLUTION NO.
2 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 2, Proposing an amendment to Section 26, of Article III, of the Constitution of Texas, by adding

thereto Section 26-a, providing that in no apportionment shall any county be entitled to more than six Representatives, unless the population of such county shall exceed six hundred thousand people, etc.

The resolution was read second time.

(Pending consideration of the resolution, Mr. Kayton occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Morse offered the following amendment to the resolution:

Amend H. J. R. No. 2 by striking out the word "six," in lines 20 and 28, page 1, and substituting in lieu thereof the word "seven."

Signed—Coombes, Griffith, Shannon, Parkhouse, Jefferson, Savage, Reed of Dallas, Morse, Mathis, Patterson, Greathouse, Hughes, Moore, Renfro, Holland, Ford, Kayton.

Mr. McGregor offered the following amendment to the amendment:

Amend the amendment by striking out the figure "7," and inserting in lieu thereof the figure "4."

On motion of Mr. Morse, the amendment by Mr. McGregor was tabled.

Question—Shall the amendment by Mr. Morse be adopted?

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 12, to the Committee on Conservation and Reclamation.

Senate Bill No. 51, to the Committee on Judiciary.

Senate Bill No. 76, to the Committee on State Affairs.

Senate Bill No. 78, to the Committee on Common Carriers.

Senate Bill No. 88, to the Committee on State Affairs.

Senate Bill No. 164, to the Committee on Criminal Jurisprudence.

Senate Bill No. 173, to the Committee on Judiciary.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 34, "An Act amending Article 2691, Revised Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 211, "An Act amending Chapter 91, Acts, First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts, First Called Session, Forty-first Legislature, as amended by Chapter 164, Acts, Regular Session, Forty-second Legislature, and declaring an emergency."

RECESS

On motion of Mr. Moffett, the House, at 12:15 o'clock p. m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE JOINT RESOLUTION NO. 2
ON SECOND READING

The House resumed consideration of pending business, same being House Joint Resolution No. 2, to amend the Constitution in regard to the number of Representatives from each county, etc.; the resolution having heretofore been read second time, with amendment by Mr. Morse pending.

Mr. Metcalfe moved a call of the House for the purpose of maintaining a quorum pending consideration of House Joint Resolution No. 2, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Metcalfe, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

(Pending consideration of the amendment by Mr. Morse, Mr. Jones of Shelby occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Stovall offered the following substitute for the amendment by Mr. Morse:

Substitute for amendment to amend House Joint Resolution No. 2 by striking out the word "six," in lines 20 and 28, page 1, and substituting in lieu thereof the word "five."

Mr. Patterson moved the previous question on the pending amendment, substitute for the amendment, and the resolution, and the main question was ordered.

Mr. Coombes moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Question first recurring on the substitute amendment by Mr. Stovall, it was lost.

Question then recurring on the amendment by Mr. Morse, it was lost.

House Joint Resolution No. 2 was then passed by the following vote:

Yeas—108

Adamson.	Fisher.
Aikin.	Fuchs.
Alexander.	Glass.
Alsup.	Golson.
Anderson	Goodman.
of Johnson.	Graves.
Barrett.	Haag.
Barron.	Harman.
Beck.	Harris.
Bedford.	Hartzog.
Bourne.	Head.
Burns.	Hicks.
Butler.	Hill of Brazoria.
Calvert.	Hodges.
Camp.	Holekamp.
Canon.	Holloway.
Cathey.	Hoskins.
Caven.	Huddleston.
Chastain.	Hunt.
Colson.	Hyder.
Cowley.	James.
Crossley.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Atascosa.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunlap.	Kyle of Hays.
Dunagan.	Laird.
Fain.	Latham.

Lemens.	Rogers
Leonard.	of Ochiltree.
Lindsey.	Rollins.
Long.	Ross.
Lotief.	Russell.
Magee.	Scarborough.
Mackay.	Scott.
McCullough.	Shults.
McKee.	Smith.
Merritt.	Steward.
Metcalfe.	Stovall.
Mitcham.	Sullivant.
Moffett.	Tarwater.
Morrison.	Tennyson.
Munson.	Thomas.
Palmer.	Tillery.
Pavlica.	Townsend.
Pope.	Turlington.
Puryear.	Vaughan.
Ramsey.	Wagstaff.
Ratliff.	Walker.
Ray.	Weinert.
Reed of Bowie.	Wells.
Riddle.	Winningham.
Roberts.	Wood.
Rogers of Hunt.	Young.

Nays—25

Baker.	Mathis.
Clayton.	McDougald.
Coombes.	Moore.
Engelhard.	Nicholson.
Ford.	Parkhouse.
Hankamer.	Patterson.
Harrison.	Reed of Dallas.
Hester.	Renfro.
Hill of Webb.	Savage.
Holland.	Shannon.
Hughes.	Stinson.
Jackson.	Van Zandt.
Jefferson.	

Present—Not Voting

Kyle of Palo Pinto.

Absent

Duvall.	McGregor.
Dwyer.	Morse.
Good.	Reader.
Greathouse.	Stanfield.
Griffith.	West.
Kayton.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	McClain.
Few.	

PAIRED

Mr. Kyle of Palo Pinto (present), who would vote "yea," with Mr. Greathouse (absent), who would vote "nay."

HOUSE JOINT RESOLUTION NO. 5 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 5, Proposing an amendment to Article XVI, of the Constitution of the State of Texas, by striking out Section 20-a to 20-e, both inclusive, and providing in lieu thereof, for local option on the question of the sale of intoxicating liquors; vesting in the Legislature the power to regulate the manufacture, sale, and traffic in intoxicating liquors, etc.

The resolution was read second time.

Mr. Moore offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 5 by striking out all below the resolving clause, and inserting in lieu thereof the following:

"Section 1. That Article XVI, of the Constitution of The State of Texas, be amended by striking out Section 20-a, Section 20-b, Section 20-c, Section 20-d, and Section 20-e, and substituting in lieu thereof the following:

"Article 16. Section 20:

"a. To the extent that such shall not violate the Constitution of the United States of America, as it now is, or may hereafter be amended, the Legislature shall have the power to regulate the manufacture, sale, barter, exchange, and traffic in intoxicating liquors in the State of Texas; and to prohibit the transportation of intoxicating liquors for beverage purposes into or within any county, justice's precinct, town, or city which has voted to prohibit the sale of intoxicating liquors within its prescribed limits.

"b. The establishment, maintenance, or operation of a saloon (which is hereby defined to be a place where intoxicating liquors are sold and consumed in whole or in part on the same premises) is hereby prohibited and declared to be unlawful in the State of Texas.

"c. If, as, and when such will not violate the Constitution of the United States of America, the Legislature shall enact a law or laws whereby the qualified voters of any county, justice's precinct, town, or city may, by a majority vote of those voting, de-

termine from time to time whether the sale of intoxicating liquors for beverage purposes shall be prohibited within the prescribed limits.

"d. Provided, that intoxicating liquors shall not be manufactured, sold, or transported for beverage purposes in any county, justice's precinct, town, city, or political subdivision of a county where, under the local option provision of the State Constitution and statutes, as such, existed prior to the adoption of the State-wide prohibition amendment, such political subdivision had voted (at the last such election) to prohibit the sale of intoxicating liquors, unless and until the question shall be again submitted to the qualified voters of such county, justice's precinct, town, city, or political subdivision as may be hereafter provided by law, and a majority of the qualified voters voting in such election shall vote not to prohibit such sale.

"e. Nothing contained above shall be construed as preventing through shipments of intoxicating liquors from counties, justice's precincts, towns, or cities in which the sale of intoxicating liquors is not prohibited, to other counties, justice's precincts, towns, or cities where such sale is not prohibited."

"The Legislature, where necessary, shall enact laws to carry out the provisions of this amendment.

"Sec. 2. Such proposed constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State of Texas, on November 6, 1934, at which election all voters favoring said proposed amendment, shall write, or have printed, on their ballots the words:

"For the amendment to the State Constitution repealing Section 20-a to 20-e, Article XVI, of the Constitution; prohibiting saloons; re-establishing local option; vesting in the Legislature the power to regulate the manufacture and sale of intoxicating liquors; prohibiting the manufacture, sale, and transportation of intoxicating liquors in or into counties which have previously, under local option, by election, prohibited the sale of intoxicating liquors, until another election is held, wherein a majority of voters vote not to prohibit such sale.' and those voters opposing said pro-

posed amendments shall write or have printed on their ballots the words:

"Against the amendment to the State Constitution repealing Section 20-a to 20-e, Article XVI, of the Constitution; prohibiting saloons; re-establishing local option; vesting in the Legislature the power to regulate the manufacture and sale of intoxicating liquors; prohibiting the manufacture, sale, and transportation of intoxicating liquors in or into counties which have previously, under local option, by election, prohibited the sale of intoxicating liquors, until another election is held, wherein a majority of the voters vote not to prohibit such sale."

"If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

"Sec. 3. The Governor shall issue the necessary proclamation for such election, and shall have the same published and such election held as provided by the Constitution and laws of this State.

"Sec. 4. The sum of four thousand dollars (\$4,000), or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election."

The amendment was adopted.

Mr. Moore offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 5 by striking out all above the resolving clause, and inserting in lieu thereof the following:

"H. J. R. No. 5,

Proposing an amendment to Article XVI, of the Constitution of the State of Texas, by striking out Section 20-a to 20-e, both inclusive; providing for local option on the question of the sale of intoxicating liquors for beverage purposes; defining and prohibiting saloons; vesting in the Legislature the power to regulate the manufacture, sale, barter, exchange, and traffic in intoxicating liquors, and to prohibit the transportation of intoxicating liquors for beverage purposes into or

within any county, justice's precinct, town, or city which has voted to prohibit the sale of intoxicating liquors; providing that intoxicating liquors shall not be manufactured, sold, or transported for beverage purposes in any county, justice's precinct, town, city, or political subdivision of a county where, under the local option provision of the State Constitution and statutes, as such existed prior to the adoption of the State-wide prohibition amendment, such political subdivision had voted (at the last such election) to prohibit the sale of intoxicating liquors, unless and until the question shall be again submitted to the qualified voters of such county, justice's precinct, town, city, or political subdivision as may be hereafter provided by law, and a majority of the qualified voters voting in such election shall vote not to prohibit such sale; providing that nothing herein shall prevent through shipments of intoxicating liquors from political subdivisions, where the sale of intoxicating liquors is not prohibited, to other political subdivisions where such sale is not prohibited; providing for an election on the question of the adoption or rejection of such amendment, and making an appropriation therefor; prescribing the form of ballot."

The amendment was adopted.

House Joint Resolution No. 5 was then passed to engrossment by the following vote:

Yeas—72

Alexander.	Good.
Baker.	Griffith.
Beck.	Haag.
Bedford.	Hankamer.
Bourne.	Harrison.
Burns.	Hartzog.
Calvert.	Hill of Brazoria.
Camp.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Hoskins.
Crossley.	Huddleston.
Daniel.	Hughes.
Davidson.	Hyder.
Devall.	Jackson.
Dunagan.	James.
Engelhard.	Jefferson.
Ford.	Johnson.
Fuchs.	of Anderson.
Golson.	Laird.

Long.	Renfro.
Lotief.	Roberts.
Mackay.	Rogers
Mathis.	of Ochiltree.
McDougald.	Russell.
McKee.	Savage.
Merritt.	Scarborough.
Moore.	Shannon.
Munson.	Smith.
Nicholson.	Stinson.
Palmer.	Tennyson.
Patterson.	Tillery.
Pavlica.	Townsend.
Pope.	Walker.
Ramsey.	Weinert.
Reed of Dallas.	Young.

Nays—54

Adamson.	McCullough.
Aikin.	Metcalfe.
Alsup.	Mitcham.
Anderson	Morrison.
of Johnson.	Parkhouse.
Barrett.	Purvey.
Butler.	Ratliff.
Canon.	Ray.
Cathey.	Reed of Bowie.
Chastain.	Riddle.
Dean.	Rogers of Hunt.
Fain.	Rollins.
Fisher.	Ross.
Glass.	Scott.
Graves.	Shults.
Harman.	Steward.
Head.	Stovall.
Hicks.	Sullivant.
Hunt.	Tarwater.
Jones of Atascosa.	Thomas.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kyle of Hays.	Vaughan.
Kyle of Palo Pinto.	Wagstaff.
Latham.	Wells.
Lemens.	Winningham.
Lindsey.	Wood.
Magee.	

Present—Not Voting

Goodman.

Absent

Barron.	Kayton.
Caven.	Leonard.
Dunlap.	McGregor.
Duvall.	Moffett.
Dwyer.	Morse.
Greathouse.	Reader.
Harris.	Stanfield.
Hester.	West.
Holloway.	

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	McClain.
Few.	

REASON FOR VOTE

I vote against resubmission because the motion is premature, and before the National Congress has fully acted, which proves we would be acting in the dark.

FISHER.

HOUSE JOINT RESOLUTION NO. 25 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 25, Proposing an amendment to Section 1-a, of Article VIII, of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed taxable value of all residence homesteads, as now defined by law, from all State, county, city, town, district, and other political subdivision purposes; providing that the exemption shall not apply to State taxes within counties, districts, or other political subdivisions of the State now receiving any remission of such State taxes until the expiration of the period of remission; providing, also, that the exemption shall not apply to taxes necessary to pay indebtedness heretofore legally made and undertaken by counties, cities, towns, districts, and other political subdivisions of the State; providing for the submission of the same to the qualified electors of the State; providing for the necessary proclamation, and making appropriation to defray the expenses of the proclamation, publication, and election.

The resolution was read second time.

(Pending consideration of the resolution, Mr. Calvert occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Nicholson offered the following amendment to the resolution:

Amend House Joint Resolution No. 25 by striking out, after the word "purposes," in line 32, the balance of said line 32, and lines 33, 34, 35, and 36, to the word "provided," in line 37, page 1, and insert in lieu thereof the following:

"Provided, that this exemption shall not be applicable to that portion of the State ad valorem taxes levied for State purposes remitted within those counties, or other political subdivisions, now receiving any remission of

State taxes, until the expiration of such period of remission, unless before the expiration of such period the Legislature may provide other means, of substituting the payment of the obligations created by virtue of such remission of taxes, or the board or governing body of any one or more of such counties, or political subdivisions, in which such remission is made, shall have certified to the State Comptroller that the need for such remission of taxes has ceased to exist in such county, or political subdivision; then this Section shall become applicable to each county, or political subdivision, as and when it shall become within the provisions hereof."

Signed—Nicholson, Bedford, McKee, Hartzog, McDougald, Munson, Roberts, Dunlap.

The amendment was adopted.

House Joint Resolution No. 25 then failed to pass to engrossment by the following vote:

Yeas—47

Aikin.	McDougald.
Baker.	Merritt.
Barrett.	Metcalfe.
Bourne.	Morrison.
Canon.	Nicholson.
Chastain.	Palmer.
Coombes.	Parkhouse.
Devall.	Patterson.
Dunagan.	Pavlica.
Fain.	Puryear.
Glass.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Huddleston.	Rogers of Hunt.
Hyder.	Rogers
James.	of Ochiltree.
Jefferson.	Rollins.
Jones of Runnels.	Russell.
Jones of Shelby.	Savage.
Kyle of Palo Pinto.	Scarborough.
Laird.	Shannon.
Latham.	Smith.
Lemens.	Thomas.
Mackay.	Walker.
McCullough.	Weinert.

Nays—66

Adamson.	Camp.
Alexander.	Caven.
Alsup.	Clayton.
Anderson	Cowley.
of Johnson.	Crossley.
Beck.	Daniel.
Burns.	Davidson.
Butler.	Dean.
Calvert.	Engelhard.

Fisher.	Mitcham.
Ford.	Munson.
Fuchs.	Pope.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Riddle.
Griffith.	Roberts.
Haag.	Ross.
Hankamer.	Shults.
Harris.	Steward.
Head.	Stinson.
Hicks.	Stovall.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tillery.
Holekamp.	Townsend.
Hoskins.	Turlington.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Jackson.	Wagstaff.
Jones of Atascosa.	Wells.
Kyle of Hays.	Winningham.
Lindsey.	Wood.
Lotief.	Young.
Magee.	

Absent

Barron.	Kayton.
Bedford.	Leonard.
Cathey.	Long.
Colson.	Mathis.
Dunlap.	McGregor.
Duvall.	McKee.
Dwyer.	Moffett.
Graves.	Moore.
Greathouse.	Morse.
Harman.	Ramsey.
Harrison.	Reader.
Hester.	Renfro.
Holland.	Scott.
Holloway.	Stanfield.
Johnson	Tennyson.
of Anderson.	West.

Absent—Excused

Anderson	Johnson
of Bexar.	of Dimmit.
Bradley.	McClain.
Few.	

Mr. Pope moved to reconsider the vote by which the resolution failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

HOUSE BILL NO. 786 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 786, A bill to be entitled "An Act to stay all sales under execution, order of sale, or under any deed

of trust, mortgage, or other contract giving or granting any power of sale of real, personal, or mixed property for debt now advertised, or to be advertised, in the future, for a period of one hundred and twenty (120) days after March 15, 1933; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale prior to March 15, 1933, shall be required for such sale after the expiration of one hundred and twenty (120) days, making void all sales in violation of this Act, extending the time for return, and declaring an emergency."

The bill was read second time.

Question—Shall House Bill No. 786 pass to engrossment?

ADJOURNMENT

Mr. Butler moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Haag moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

The motion of Mr. Haag prevailed, and the House, accordingly, at 4:55 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Game and Fisheries: House Bills Nos. 764 and 70.

Appropriations: House Bill No. 491, and Senate Bills Nos. 95 and 16.

Banks and Banking: House Bill No. 780.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, March 11, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 142, A bill to be entitled "An Act to release the penalties and interest on all ad valorem and poll taxes delinquent on or before July 1, 1933, due to the State and/or any county (and subject to the provisions of this Act, any cities, towns, vil-

lages, special school districts, independent school districts, common school districts, school districts, road districts, levee improvement districts, irrigation districts, drainage districts, navigation districts, and other defined subdivisions of the State), contingent upon the payment of such ad valorem and poll taxes as provided in this Act; providing the provisions of this Act shall be optional with governing bodies of all political subdivisions except counties; extending the maturity date of all taxes delinquent on and prior to July 1, 1933, subject to the provisions of this Act; providing the means of payment of such taxes in a lump sum or in installments; providing penalties for failure to meet the provisions of this Act; providing for the release of defendants in tax suits from fees and costs in cases where such suits are dismissed or abated; providing for the validity of this Act in event any portion should be adjudged invalid; providing for the suspension of all laws in conflict with this Act, during the period covered hereby; directing the State Comptroller to furnish the tax collectors of the various counties with forms, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, March 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 211, "An Act amending Chapter 91, Acts, First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts, First Called Session, Forty-first Legislature, as amended by Chapter 164, Acts, Regular Session, Forty-second Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 34, "An Act amending Article 2691, Revised Statutes of Texas, 1925; repealing all laws and parts of laws in conflict herewith; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

In Memory of

Mr. John Wesley West

Mr. Butler offered the following resolution:

Whereas, On March 11, 1933, Mr. John Wesley West, of Coleman, Texas, the father-in-law of our beloved and esteemed Member, the Hon. J. W. Golson, was called to his eternal reward; and

Whereas, The wife of the deceased, to whom he had been married seventy-two years, still lives; and

Whereas, The deceased had reached the venerable age of ninety-three years, having been born in Arkansas, but having resided in Coleman County for a number of years; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to our distinguished Member and his family. Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we now express to our colleague, the surviving widow, and other members of the family our sorrow and sadness in their great bereavement, and tender our most sincere and heartfelt condolences; and that when the House adjourns today it do so out of honor and respect to the memory of Mr. West, and that a copy of this resolution be spread upon the Journal of the House, and that copies be furnished the family of the deceased.

BUTLER,
HILL of Brazoria,
METCALFE.

The resolution was read second time.

On motion of Mr. Hoskins, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson of Bexar, Anderson of Johnson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Good, Goodman, Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivan, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, West, Winningham, Wood, Young.

The resolution was then adopted unanimously.